



U.S. Department of Justice

United States Attorney
Southern District of New York

86 Chambers Street
New York, New York 10007

May 26, 2015

BY ECF

Honorable Jesse M. Furman
United States District Judge
40 Foley Square
New York, New York 10007

Re: United States v. Wells Fargo Bank, N.A., 12 Civ. 7527 (JMF)

Dear Judge Furman:

We write respectfully on behalf of plaintiff the United States of America (the “Government”) to bring to the Court’s attention a decision issued today by the United States Supreme Court in Kellogg Brown & Root Services, Inc. v. United States ex rel. Carter, No. 12-1497, ___ S. Ct. ___, 2015 WL 2456621 (U.S. May 26, 2015). In Kellogg Brown & Root Services, the Supreme Court held that the Wartime Suspension of Limitations Act, 18 U.S.C. § 3287 (“WSLA”), applies only to criminal offenses, and not to civil claims. Accordingly, the Government is no longer relying on the WSLA with respect to its statute of limitations arguments in this case. A copy of the Supreme Court’s decision is annexed hereto.

Thank you for your consideration of this matter.

Respectfully submitted,

PREET BHARARA
United States Attorney

By: /s/ Jeffrey Oestericher
JEFFREY S. OESTERICH
REBECCA S. TINIO
CHRISTOPHER B. HARWOOD
CALEB HAYES-DEATS
DOMINIKA TARCZYNSKA
Assistant United States Attorneys
Tel: (212) 637-2698/2774/2726/2699
Fax: (212) 637-2730